IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Original Jurisdiction

Dated: Nainital the 25th day of March ,2003

Criminal Misc. Bail Application Number. 262 of 2003

Order on the Bail Application

CRIMINAL SIDE

Rais alias Mota son of Sri Budha Nazi, resident of Nagalia, P.S. Aazim Nagar, District Rampur

……..……..Applicant(s)

Versus

State of Uttaranchal. ……Opposite Party.

Arising out of- Case Crime No. 580 of 2002,
Under Section 2/3 Gangster Act,
P.S. Kichha,
District Udham Singh Nagar

By the Court

Hon'ble Irshad Hussain, J.

Heard the learned counsel for the applicant-accused and the learned Government Advocate.

Applicant-accused was involved in twelve criminal cases pending against him. He had been enlarged on bail in these criminal cases. Perusal ofd the bail orders indicate that in many of the casses, the police even did not care to file chargesheets within the stipulated period and the accused had to be released by the competent court of Magistrate. Besides there is no previous conviction to the credit of the applicant and considering this fact, there are reasonable grounds to accept at this stage the argument that the applicant has not committed the offence and there is no likelihood of his involving himself in similar activity in future, if released on bail. Considering this aspect, in my opinion it is a fit case for bail.

Let the applicant Rais alias Mota son of Sri Budha Nazi, resident of Nagalia, P.S. Aazim Nagar, District Rampur be released on bail in case crime no. 580 of 2002, under section 2/3 Gangster Act, P.S. Kichha, District Udham Singh Nagar on his filing a personal bond and adequate sureties to the satisfaction of Special Judge, Nainital.

(Irshad Hussain, J.)

25.03.03/B.